G R S 58]

Previous references

Edn 130-10 (1-2)
322-07 (1-7)
325-10-2

Later references

Edn 161-11 (5-8)

1911

(Education)

File No 161-11

Serial Nos 1-4

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1-4

Part B for 7 Feb 4, 1912

SUBJECT

Leave to Mr E P Metcalfe, Professor of Physics, Central College

---

From the 9 Gt of Edn, no 4121 2/291 & 20 11 11 forwards for favourable consideration an application from Mr E P Metcalfe, Professor of Physics, Central College, for privilege leave on full pay for 15 days in continuation of the next summer vacation

Requests forwardal of a copy of the syllabus of the Institute with a copy of the leave rules applicable to its professors

To the Director of the Indian Institute of Science, no 4518 & 3 12

From Do, letter 5 4 1 12 forwards a copy of the calendar of the Indian Institute GPB—5,000—22-10-10 of Science for the current sess and a copy of the bye-laws

To the 9 Gt of Edn no 5417 & 6 2 12 states that Govt have no objection to grant to Mr E P Metcalfe the full amount

of casual leave to his credit, viz, 10 days immediately before the vacation and also 4 days' additional leave on half pay after it

Memo no 5218 forwards copy of the above to Controller of Nandalwar

23 2 12

GRS 11] 1911-12

GENERAL AND REVENUE SECRETARIAT

(Education

NOTES

File No 167-11

FILE HEADING

Leave to Mr G P Metcalfe, Prof of Physics, Central College.

From The Secy to Govt in Mysore

No 4121-2/291 Dated 26/11/11 Received 27/11/11

Diary No 2780	Enclos	Spare Copies	Serial No 1

BRIEF ABSTRACT OF LETTER

Forwards for favorable consideration an appn from Mr G P Metcalfe, Professor of Physics, Central College, for privilege leave on full pay for 15 days in continuation of the next Summer Vacation.

NOTES AND ORDERS

Dated with References. Metcalfe wants privilege leave both before the Commencement and after the end of the Vacation Viz from March 18th to 27th (10 days) and from July 2nd to 9th (7 days) Therefore Mr Metcalfe wants 17 days

NOTES—First Sheet

GPB—30 000—12 8 11

2780 2

GRS 12]
General and Revenue Secretariat

Edn File No 161 of 1911-12

Serial No

privilege leave and not 15 days

2 The Comptr's certificate entitling him to privilege leave is not enclosed -

3 Forwarded supply to the Comptroller for favour of opinion

No 20 49
28 11 11

J Ramaswamayya
For Secy to Govt

COMPTROLLER'S OFFICE
CIVIL BRANCH
28 IV 1911
BANGALORE
MYSORE GOVT

No 10

hw
20
27/11/11

No 323
2-XII-11

4 A copy of this office letter dated the 10th November 1911 addressed to Mr Metcalfe in reply to his request for a certificate of privilege leave to his credit as plaied in the file It will be seen from it that he is not entitled under the Leave Rules of the Indian Institute of Science to any privilege leave as a compensation for not having been permitted to avail himself of any vacation.

2) Under the Leave Rules of the Institute communicated with Govt Order No 12905-7 Edn-322-07-7 12-6-08 Mr Metcalfe having put in a Service of 3 years is entitled to "Additional

IV
2/12

NOTE—Cont'd on sheet

Serial No

leave" for 3 months. In February 1910 Mr. Metcalfe had 6 days Sick leave on full pay but the "Rules" referred to above are not quite clear as to whether this period of leave in the circumstances and ~~conditions~~ under which it was granted, should be treated as "additional leave" on medical certificate or, as such leave which is an independent kind of leave admissible under the "Rules" The decision of this point is however, not necessary to the consideration of the present case as the period of leave applied for by Mr. Metcalfe is only 17 days (vide para 2 of his letter - not 15 days as stated by the Inspector General of Education and in the first para of Mr. Metcalfe's letter) and he has "additional leave" of this duration to his credit even if the 6 days' leave already taken by him is treated as "additional leave" But the leave to his credit is one for which only half salary is admissible as leave allowance and it can only be taken in continuation of the vacation and not partly at the beginning and partly at the end of the vacation as proposed by Mr. Metcalfe No other kind of leave with allowance is admissible to Mr. Metcalfe under the Rules as communicated to this Office with Govt. Order No 12905 80/ Edn 32207-7 12-6-1908 If the "Leave Rules" of

Note — Contn sheet

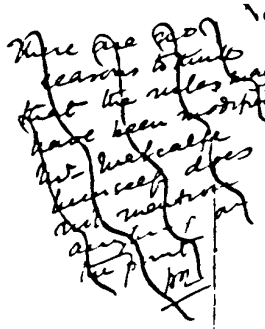
GPB—50 000— 12 8 10

G P S 12]
General and Revenu
Secretariat

2780 4

File No 167 of 1911-12

Serial No.



the Institute have been modified in any respect and if the modifications are held to apply to Mr Metcalfe, it is requested that the revised rules may be furnished for reference when the leave to Mr Metcalfe for credit under such rules will be certified to

3) Mr Metcalfes request is however for special treatment outside the rules and the Audit Office can express no opinion on it

1st Dec 1911 for Comptroller

NOTE—Contn sheet

GPB—50 000—13 5 6

Copy

~~Extract~~ of letter No. 2830 / 8A 239 dt 10th Novemr

E P Metcalfe Esq Professor of Physics Central College

Bangalore

Sir

With reference to your L O dt 18-10-1911 regarding the extent of privilege leave you are entitled to in consideration of your having had to remain at your post during the vacation, under G O dt 25-3-11, I have the honor to state that by the privilege leave in the circumstances stated, you apparently mean the leave contemplated in Chapter XII of the M S R as admissible to Officers of the Education Department but the rules contained in that chapter do not apply to you as your leave is regulated by the rules of the Indian Institute of Science These latter rules as communicated to this office do not contemplate the grant of any leave as a concession to an officer for not having been permitted to avail himself of any vacation and I would in these circumstances suggest that you may submit your request for privilege leave to the Government for orders

Copy

[illegible]

13/11

[illegible]
Asst Comptr

G R S 12]
General and Revenue Secretariat

GRS File No 161 of 1911-12

Serial No

5 Submitted with the compliments of the Comptroller and with the rules GRS 322-09 to GRS 325-10

5

WW
23
2/12/11

Please put up a draft letter to the P St of the lines noted by the Comptroller

6

2/12/11

To Br II (Pe) for favour of a note on the points mentioned by the Comptr and with regard to Mr Metcalfe's request for special treatment outside the rules

HC Jues 5-31

2/12/11

7

RR
2 12 11

Br V will please note if he drew any extra allowance for the period he was doing the routine duties of the Principal A copy of the bye laws referred to in the last para of S6 of the Rules relating to the Institute of Science may also be put up

4/12/11

4/12/11

8 Mr Metcalfe was not given any extra allowance for having been in Charge

NOTE—Co tn sheet

CPB—50 000—12 8 10

Serial No

of the routine duties of the Principal during the last Summer Vacation

A copy of the Bye laws referred to has not been received here. Mr. Metcalfe wants the leave as a Spl case.

These are perhaps not likely to throw any light on the points involved in this case —

Sd/- 11/4

Mr
4/12/11

Mr
4/12/11

The fact that Mr. Metcalfe was doing the duties of Principal may perhaps be considered as special duty

(10) The leave to the credit of Mr Metcalfe as observed in the Comptroller's note above, is one for which half salary is admissible as leave allowance and it can only be taken in continuation + not partly at the beginning and partly at the end of the vacation No other kind of leave with allowances is admissible to Mr Metcalfe under the Leave rules of the Institute

(11) Mr Metcalfe was in charge of the Londent duties of the Principal of the Central College during his last absence on the Midsummer vacation and it is understood that he drew no extra allowances during the period

NOTE— Contn she

G R S 12]
General and Revenue Secretariat

File No 167 of 1911-12

Serial No

It is a question for consideration whether the circumstances her Instructor can be considered as having undertaken special duty so as to entitle him to claim the benefit contemplated in the last para of Rule 6 of the 'Leave Rules' of the Institute. A copy of the bye Laws is not forthcoming in the Calcutta and it would not be possible to state how far his case, under the circumstances, deserved to be considered a special one.

Genl Secy

5 12 11

To Deller
5/12/11

12 The leave rules of the Institute of Science have been modified since Mr Metcalfe's appt but the modifications do not affect him as the leave rules applicable to him will be the same as for professors of the Institute as in the contract appended to the order of his appointment.

I was on the committee appointed for the purpose

13 Under those rules Professors undertaking special duty under proper authority during the whole or a portion of the period of Contd vacation & leave shall be permitted to draw pay & allowances on such terms and conditions as may be laid down in the bye laws.

14 The bye laws as they existed at the time of Mr Mc appt should be referred to to determine what concessions Mr M may get for being detained during the vacation. A copy shd be obtained & put up. Of the bye laws

NOTE – Contn sheet

CPB—50 000—12 8 10

Serial No

had not been framed at the time of M^r M's applⁿ, the present bylaws may be held to be applicable.

M
17/12/11

2/12/11

II

hm
22 12 11

15

Subd to the Asstt Secy for perusal & will be sent back to (the Secretary) for obtaining a copy of the bye Law refd to by the Jun^r Secy

The Rule

RR
22 12 11

16

17

Sd/ with a draft letter to the Director of the Indian Institute of Science

hm
no
3/1/12

18

Issue at once

hm
3/1/12

2 To the Director of the Indian Institute of Science, no 45 dt 3 1 12

Requests forwardal of a copy of the Syllabus of the Institute with a copy of the leave rules applicable to Professors

P.T.O

Note – Contn sh et

GPB—50 000—12 8 10

3459

G R S 12]
General and Revenue Secretariat

Govt File No 161 of 1911-12

Serial No 3

From Dr Travers, Director of the Indian Institute of Science

Letter 24/1/12

Forwards copy of the Calendar of the Indian Institute of Science for the current Session and a copy of the Bye Laws

Encl Sd with the books

These two books have been separately kept in the Secretariat

HC Secn 5-7-28

To Br II (7e)

hm 6/1/12

hm 6/1/12

Secy Dept 27 8-1-1912

RR 8/1/12

NOTE – Contn sheet

CPB—50 000— 12 8 10

Serial No

20 With reference to the view taken in paragraphs 13 and 14 above, it is respectfully submitted that Rule 6 of the old Leave Rules of the Institute do not appear to cover Mr Metcalfe's case

21 Rule 6 says that a professor undertaking special duty during the whole portion of the period of Combined Vacation and Leave shall be permitted to draw pay and allowances on such terms and conditions as may be laid down in bye laws The old bye laws do not seem to contain any provision of a more definite character But Rule 23, Secn VII of the current bye laws appears to be in point In the circumstances referred to above, it grants full pay for the period of vacation and 2/3 pay for the remainder

22 This provision seems to have no bearing on Mr. Metcalfes case as the Question here is not one of the allowances admissible to him for the period that he was on Special duty It is doubtful if the mere fact that he was doing the current duties of principal can be

NOTE— Contn sheet

CPB—50 000— 12 8 10

G R S 12]
General and Revenue Secretariat

File No 161 of 1911-12

Serial No

578

be held to amount to Special duty, and even if it be so held, the special duty did not exceed beyond the period of Vacation

23 The Question here is whether, in view of the fact that Mr Metcalfe was in charge of the Central College during the last Vacation and was thus, in a way, prevented from taking it, he is entitled to the leave of 17 days on full pay Under the Institute Rules, he is not, as they dont contemplate such a case If our wish request is to be complied with, Govt will have to treat his case as a Special one Or, if Mr Metcalfe has no objection the period of 10 days from the 18th march to the 27th 28th may be [x] treated as casual leave, and the period of 7 days from July 3rd to 9th may be treated as addl leave Then would give full pay to Mr M for 10 ten days and half pay for 7 days

[x] b there is no objection to giving Casl leave just prior to Vacation

RR Casual leave is not suspected to any Rule as an officer absents on it when absent from duty nor is there any objection to grant

13/1/12

NOTE—Contn sheet

CPB—50 000—12 8 10

G R S 12]
General and Revenue Secretariat

File No 161 of 1911-12

Serial No

Ch letter prefixed or affixed to Vacation under the C.S.R. has been while he was somewhere has had Ch given prefixed to the Dasara holidays the first few days may be treated as Ch & the last after the Vacation as leave on half pay

16/12

for IV

25 Draft for orders

16/1/12 26 2nd Counsellor

17/1/12

27. Is there any precedent for (1) treating charge of office during vacation as duty? There is express (2) any rule for purpose of Ch Ct I think

22/1/12

28 (1) The Office is not aware of any precedent to the point-

(2) Art 189 of the M S Regulations provides for the grant of privilege leave to the Judges of the Chief Court

NOTE—Continued

3459

44

G R S 12]
General and Revenue Secretariat

Ex File No 161 of 1911

578

Serial No 29

Submd

24 26 30

Please send to Br II also for a Br II for note as the Councillors query

31

Br II has no information on the points. In the Case of Jud. Officers, the H.S.H. Maharaja's permission

Br IV

32 Submd

2nd Councillor)

33 The leave may be sanctioned accg to the opinion of the Fl Deptt

29/1/12

34 Putup draft submit to Dewan

35 Draft Submd

Dewan,

Draft approved by the Dewan

NOTE— Contd sheet

GPB—50 000—1918 10

G R S 12]
(General and Revenue Secretariat

Edr File No 161 of 1911

Serial No

Issue

CSB
5/2/12

4 To the Dy of Educ no 5417 & 6 2 12 ?

States that Mr Metcalfe's request for grant of privilege leave on full pay combined with the Long vacation of 1912 cannot be sanctioned, that under the rules of the Indian Institute of Science applicable to him he is entitled to 60 days' casual leave, and that Govt have no objection to grant him the full amount of casual leave to his credit immediately before the vacation and also 7 days' add[l] leave on half pay after it, and requests the Dy to inform Mr Metcalfe accordingly

Memo no 5418 & 6 2 12 forwards copy of the above to the Comptroller

Note—Continued et

DI 2780

Edn 81]

SECTION Edu

FILE No 16

OFFICE OF INSPECTOR GENERAL OF EDUCATION IN MYSORE

No 4121-22 Enc. 1 Bangalore 20th November 1911

From

~~H J BHABHA Esq~~

The *Inspector General of Education in Mysore*

To

C S Balasundaram Iyer, Esq , B A ,

Offg Secretary to the Government of H H the Maharaja of Mysore, General and Revenue Departments, Bangalore

SIR

I have the honour to forward herewith for favourable consideration and early orders copy of an application from Mr E P Metcalfe, Professor of Physics, Central College for privilege leave on fullpay for 15 days in continuation of the Long Vacation due to him next year

I have the honour to be,

Your most obedient servant,

For Inspector General

TNR

GPB—1500—8 6-09

2

Ex & Ed 161-17

From

L P Metcalfe, Esq , B Sc ,

Professor of Physics, Central College, Bangalore

To

The Inspector-General of Education in Mysore

Central College,

Bangalore,

12th November, 1911

Sir,

I have the honour to request you to be so good as to request Government to grant me privilege leave on full pay for 15 days in continuation of the Long Vacation due to me next year In support of this application I beg to draw attention to the fact that I was unable to avail myself of any portion of the Long Vacation this year, being obliged to remain at my post in consequence of the order of Government (No 7957-9/Edn 325-10) placing me in charge of the duties of the Principal of the Central College during his absence Under the Mysore Service Regulations I should be entitled to take privilege leave on full pay for a period equal to the whole vacation thus lost I was appointed under the leave rules of the Indian Institute of Science, which contain no reference to compensatory leave such as is now sought I request therefore that Government may be pleased to treat this case as a special one, and to pass orders on it as such

The period of leave for which I wish is from March 18 to March 27 (both days inclusive) and from July 3 to July 9 (both days inclusive) I request that the matter may kindly be treated as urgent, as I desire to make arrangements for my

passage to England

I have the honour to be,

S i r,

Your most obedient servant,

(Sd) E P Metcalfe

" C O P Y "

For Inspector General

T N R

Gen/x

GRS 26]

File No

Serial No 2

Diary No of letter replied to

No 4518

Edn 161-11-

93 1 12

General and Revenue Secretariat

( )

the *19*

To

Dr. W. Travers, D Sc

F R S

Director of the Indian

Institute of Science.

Bangalore.

Date of issue 3-1-12

Signed by for BR

Sir,

I am directed to

Request that you will be

so good as to forward to

this office for reference a

copy of the Syllabus of the

Indian Institute of Science

together

SUBJECT

[illegible] a copy of the letter
[illegible] applicable to the
Professors of the Institute.

[illegible]

[illegible]

[illegible]

[illegible]

List of enclosures.

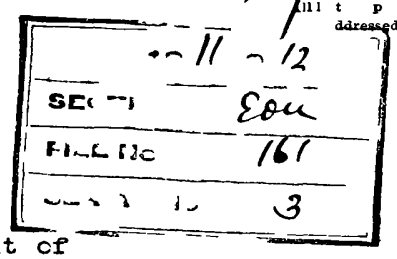
[illegible]

INDIAN INSTITUTE OF SCIENCE

BANGALORE INDIA

Post A ...
B GALORE D STRICT
MS
C E NG O

DI 8459 ...ill t p k g & h ld b
ddressed t th D to



Dr MORRIS W TRAVERS F R S
D ecto

The Secretary to the Government of
H H the Maharaja of Mysore,
General and Revenue Departments
Bangalore

4th January 1912

Sir,

I have the honour to acknowledge the receipt of your letter No 4518 Edn161-11 dated the 3rd instant, and to forward herewith a copy of the calendar of the Institute for the current session and also a copy of the bye-laws

I have the honour to be,
Sir,
Your most obedient servant,

for Director

3

GRS 28]

File No 167-11
Serial No 4

Secretary No of letter replied to 2780
3457

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT
( )

READ—

the 19

Date of issue 6.2.12

Signed by

Letter No 4121-2/291 dt
the 20th November 1911 from the
Dy Ld of Edn to Mysore, for
sending for favourable Conse-
deration an appln from Mr
G P. Metcalfe, Professor of
Physics, Central College, Bangalore,
praying that he may be granted as a special case,
privilege leave on full pay

ORDER THEREON—No.

over

SUBJECT

from the 18th to the 27th June
1912 and also from the 3rd to
the 9th July 1912, immediately
before and after the long Vacation
of 1912 (the first period of 10 days being the 2nd period of 7 days being)

Order thereon

No 5217 / 8 Dr-161-11 dated 6-2-12

The Leave Rules applicable
to ~~his Case~~ Mr Metcalfe are
those relating to the Professors
of the Indian Institute of Science.
Under these Rules he ~~cannot~~
is not eligible for privilege
leave on full pay. Mr Metcalfe
however says that he was
prevented from enjoying the
long Vacation of 1911 as he was
placed in charge of the duties
of the Principal during that
Vacation and that under the
Imperial Service Regulations
he would be entitled to take

(G I S 27]

CENTRAL AND PENINSULAR SECRETARIAT

(Continuation sheet draft for

privilege leave on full pay for a period equal to the whole Vacation. He therefore requests that he may be granted 10 days privilege leave on full pay immediately before and 7 days' privilege leave on full pay immediately after the long Vacation of 1912. His request cannot be sanctioned as privilege leave on half or full pay in the case of Govt officers can in no case be combined with vacation

2. ~~The Govt have no discretion to grant Mr. Metcalfe 10 days' Casual leave~~ Under the Rules for the Indian Institute of Science, Mr. Metcalfe is entitled to 10 days Casual leave in a year. Govt have

10

No objection to grant him the full amount of casual leave to his credit immediately before the Vacation and also 7 days' addl leave on half pay immediately after the Vacation The C[illegible] is requested to inform Mr. Metcalfe accordingly ~~and submit a further ref~~ report ~~the matter for orders of govt~~ ~~forwards if necessary~~

1/2/12

For Secy

To the C[illegible] of Forests

31/1/12 Copy to Comptroller 5410

C 1L—1 000—13 11 11